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SIPDIS

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DEPT FOR AF/CA  
DEPT FOR CA/FPP  
PASS TO KCC  
PASS TO INL/HSTC  
POSTS FOR FRAUD PREVENTION MANAGERS

E.O. 12958: N/A

TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [KCRM](#) [KE](#)

SUBJECT: QUARTERLY FRAUD SUMMARY - NAIROBI (CORRECTED COPY)

REF: A. Nairobi 3733 B. NAIROBI 2782, C. NAIROBI 2509, D. NAIROBI

1650, E. NAIROBI 817, F. NAIROBI 740, G. 05 STATE 205073, H. 05  
NAIROBI 4523, I. 05 NAIROBI 3627

¶1. (U) Summary. The following report replies to Ref G reinstitution of the quarterly fraud report covering the current condition of consular fraud in Kenya, with specific reference to fraud trends in non-immigrant visa, immigrant visa, and diversity visa applications as well as cases of American Citizen Services, adoption, and passport fraud. Other areas covered include cooperation with the host government, and areas of particular concern. The review concludes with an overview of FPU staffing and training. End Summary.

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COUNTRY CONDITIONS  
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¶2. (SBU) Post's fraud environment remains complicated, as outlined in Ref E. Post continues to implement anti-fraud measures to combat IV and DV fraud. Relatively large appointment backlogs and ongoing short staffing mean that Nairobi continues to look for efficient means of fraud prevention. In the last quarter, Post has seen a growth of IV applicants who describe themselves as refugees, particularly from Eritrea, Ethiopia, and Somalia. Post was disappointed in DHS' recent series of reaffirmations based on our recommended revocations of K1 visas for Eritrean and Ethiopian applicants despite one applicant acknowledging that he was assisted by a ring and was committing relationship fraud. Nairobi was pleased to intercept a high quality 1998-Model U.S. passport forgery similar to those intercepted in the last year at Kenyan immigration in the hands of Chinese nationals.

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NIV FRAUD - STUDENT VISA FRAUD AND MYSTERY TWINS  
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¶3. (U) Nairobi continues to see F1 student applicants using recycled bank statements from what they describe as distant relatives, and continues to catch applicants using CCD text searches. Post will report septel on a validation study performed on all student applicants issued in a recent two-year timeframe. Nairobi believes that cost of education is the largest hurdle for Kenyan applicants and the main reason for not completing studies in the U.S.

¶4. (SBU) A/RSO-I is working with Diplomatic Security in Washington to develop a case against an "overseas education consultant" with

offices in the U.S. and Kenya which appears to be complicit in sponsorship fraud. CIs and a recent student applicant have confirmed that for a fee of approximately \$400, the consultant works with local bank officers to temporarily transfer money into sponsors' accounts to show sufficient financial support. A U.S.-based CI states that this same organization helps Kenyans who are in the U.S. without status to apply for schools for their children for a fee of \$10,000, which likely includes university applications, interview coaching, and inflation of sponsor bank statements. The fraud unit will continue to work with Post's A/RSO-I to build a case against the agency.

15. (U) Post saw recent success with a Facial Recognition hit which uncovered a Kenyan applicant who had applied under a separate identity before Post implemented the fingerprinting requirement (case number 20062482560001). The applicant made elaborate claims that the person pictured was her sister, but to date has not been able to produce her sibling who looks identical to the applicant but was born on a different day. Fraudulently-obtained birth certificates and national identity cards easily allow applicants to procure genuine Kenyan passports and other official documents under assumed identities. Adjudicating officers exercise extreme caution in all NIV applications involving minors, as we very frequently find that at least one parent who is currently in the U.S. has been replaced by an imposter in an effort to lead adjudicators into believing that both parents are present in Kenya.

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IV FRAUD - SOMALIS' TRUE IDENTITIES UNKNOWN  
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16. (U) IV relationship fraud remains high, particularly in K1, K3, and IR1 petitions. Unfortunately, given several recent reaffirmations by DHS of Post's recommended revocations, Post is not convinced that it can provide sufficient evidence of fraud in many of these cases. Post has had success with CCD report IVIS Case By Petitioner. Nairobi discovered that one petitioner had simultaneously petitioned for two spouses, and Post is now considering pre-screening applicants with this report. Nairobi is also using Lexus-Nexus searches to build evidence against alleged spouse relationships in which the petitioner appears to be divorced only on paper in the U.S, and continues to share a life with a U.S.-based spouse while simultaneously petitioning for a second partner.

17. (SBU) Post remains deeply concerned that for most Somali applicants, their true identity remains unknown throughout the immigration process. Until recently, Nairobi has counseled IV applicants who are undocumented Somalis resident in Kenya to seek registration as aliens in Kenya so they can obtain genuine Police Certificates of Good Conduct (PCGC), in order to complete their applications. Somalis' unwillingness to become documented in Kenya and in turn their inability to seek genuine PCGCs has halted nearly 80 pending IV cases. Washington recommended that Post seek a reasonable alternative to the PCGC, and after much consideration and deliberation, Nairobi has decided to seek affidavits of good conduct in lieu of PCGCs issued by the Kenyan government in cases where the applicants have experienced undue hardship in attempting to procure a genuine PCGC.

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DV FRAUD - GHOST MARRIAGE, NEXT GENERATION  
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18. (U) Diversity Visa fraud rings in Kenya (Ref C) appear to have learned a lot from Nairobi's crackdown on fraudulent relationships in the 2006 DV season. A recent case involved a "pop-up spouse" who had previously been added to a fraudulent 2003 DV case. The applicant is now newly-married to a new DV winner. He appears to have been better prepared this time around, and has included proof of a joint bank account, joint health insurance, and other documentary evidence of a relationship. Post believes that fraudulent 2007 DV applicants will no longer claim years of relationship with no accompanying proof, but instead attempt to prove a shorter timeline to avoid having to produce relationship proof.

19. (U) Recently, one of Nairobi's consular officers met with a

Nairobi-based NGO that has a grant to administer secondary school examinations and provide certificates to a significant portion of Somali graduates. Review of documents provided by Somali DV winners to prove high school equivalency indicated that the vast majority of Somali secondary school examination certificates presented to us are fraudulent. In the 2006 DV season, Post noticed that Somalia applicants attempted to commit look-alike identity fraud with the greatest frequency, submitting documentation from other applicants, and building their paper-based identity to resemble the winner. In one case, both the applicant and the imposter in the same DV case arrived for interviews on the same day.

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ACS and PASSPORT FRAUD - HIGH QUALITY FORGERY  
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¶10. (U) A U.S. passport recently recovered by an attentive housekeeper at a Nairobi hotel turned out to be a high quality biographic page (and possibly endpage) forgeries inserted into an otherwise genuine document, similar to ICE Forensic Document Lab Alert No. 2005A-62 of May 2005. The stolen passport's biographic page and laminate had been completely reprinted to a very high standard. Telltale signs of the 1998 Model passport biographic page forgery detected by the CG and confirmed by the A/RSO-I included a washed signature line, counterfeit iridescent planchettes hovering over the biographic writing, poor incorporation of the edges of the photo-digitized image into the surrounding biographic page, and weak ultraviolet features. This passport appears similar in style to others intercepted recently by immigration authorities in Nairobi, suggesting that Nairobi is still a major transit point for smuggling Chinese nationals.

¶11. (SBU) Nairobi scrutinizes cases in which Somali-Americans attempt to register children born in the region as their own. From 2001 to date, Post has recorded 29 CRBA cases, largely involving ethnic Somali applicants, in which the applicants have not complied with our requests for DNA testing to confirm parenthood, leading us to believe that these cases involve false claims of citizenship. Nairobi recognizes that most imposters will try to avoid the consular section completely, and as such A/RSO-I has worked extensively with airline and airport authorities throughout the region to catch "look-alike" fraud, which is also often perpetrated by Somali nationals attempting to smuggle Somali children to the U.S. Nairobi expects that this trend will continue to increase due to growing instability and violence within Somalia.

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ADOPTION FRAUD ALLEGATIONS  
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¶12. (U) A/RSO-I is working with DHS to investigate a CI's allegation that Kenyan officials are demanding kickbacks in order to process adoptions. While corruption may be an issue, IR-4 adoptions continue to be at a standstill in Kenya. IR-3 adoptions have begun to start again, as the government completes its review of Kenyan adoption regulations.

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ASSISTING USCIS  
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¶13. (U) Post's fraud unit frequently acts as a resource for domestic USCIS investigators verifying documents for Kenyans attempting to change status in the U.S. The majority of document verification requests continue to include fraudulent divorce decrees. Nairobi notes with concern that documents "certified" by the Kenyan Ministry of Foreign Affairs (MFA), office of State Counsel, Legal Division often turn out to be fraudulent. Post has taken the issue up with MFA in an effort to improve the credibility of these verifications, but has had no response and witnessed no change in the accuracy of the State Counsel's verifications.

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HOST GOVERNMENT CONTINUES TO BE COOPERATIVE  
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¶14. (U) Nairobi continues to receive excellent cooperation in fraud prevention from Kenyan authorities, thanks largely to the efforts of

our FSN investigations assistant. Recently, Post has worked closely with the Department of Immigration's representatives in the Registration of Persons office, and received access to GoK national registration databases. This support from the GoK has helped Nairobi make headway in cases where we suspect identity fraud.

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AREAS OF CONCERN  
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¶15. (U) Post believes that Kenyan ports will continue to be a transit point for third-country nationals attempting to travel on fraudulent documents. Nairobi also believes that the sophistication of fraud perpetuated by passport and visa applicants will continue to increase. As such, Post is considering the purchase of a powerful anti-fraud tool: the Foster and Freeman VSC4Plus with Document Imaging Software Suite, at an installed cost of roughly \$33,000. We believe this powerful tool would greatly enhance Post's anti-fraud posture and would enable us to expand on our anti-fraud cooperation with host-government authorities.

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STAFFING AND TRAINING  
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¶16. (U) The FPU unit includes one full-time FSN, Francis Marawoshe, and three back-up FSNs with collateral duties. Due to significant staffing shortages in NIV, the fraud unit remains thinly staffed. Due to unexpected short staffing among the officers, Post's fraud prevention efforts at the officer level have also been diminished. The current Fraud Prevention Manager with collateral duties is Etienne LeBailly, who received FPM training in December 2005. Post also has an A/RSO-I with collateral duties.

RANNEBERGER